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February 14, 2023

Via Electronic Case Filing

Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED, last page

Re: Case No. 21-CR-428, United States v. Robert Jeffrey Johnson, et al., Request for a Telephonic Conference

Dear Judge Ramos:

We write to request a telephonic conference (10-15 minutes) this week to discuss scheduling. Trial is currently scheduled for March 6, 2023, with a pretrial conference scheduled for March 2, 2023. Pending before the Court are the following motions:

- **Defendant Hook's Motion to Suppress Statements and Documentary Evidence** (DE 64); Government Response (DE 76); Reply (DE 84)
- **Defendants' Joint Motion to Suppress Search and Seizure of Emails** (DE 65); Government Response (DE 76); Reply (DE 84)
- **Defendants' Joint Motion to Dismiss Counts 1 & 3 (Alleging Misappropriation of Investor Funds)** (DE 66); Government Response (DE 76); Reply (DE 84)
- **Defendant Johnson's Motion to Dismiss Counts 2 & 4 (Alleging Insurance Fraud)** (DE 67); Government Response (DE 76); Reply (DE 84)

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- **Defendants' Joint Motion to Sever Defendants (DE 72);**
Government Response (DE 76); Reply (DE 84)
- **Defendants' Joint Motion to Produce Subpoenaed Documents by February 27, 2023 (DE 83)**
- **Defendants' Joint Motion in Limine to Exclude Evidence of Defendant Johnson's Prior Conviction (DE 85)**
- **Defendants' Joint Request to Charge (DE 86)**
- **Government's Requests to Charge (DE 88)**
- **Government's Motions in Limine (DE 89)**
- **Defendants' Joint Motion to Offer Testimony of a Witness via Live Closed Circuit Television During Trial or, in the Alternative, for a Deposition Pursuant to Fed. R. Cr. P. 15 (DE 90)**

The last filed motion (DE 90) may affect the schedule of the trial: a defense witness who resides in Paris, France advised Defendants' counsel last week that he is suffering from an ailment that makes it medically imprudent for him to travel by air; (he previously expressed a willingness to travel to New York to testify). Accordingly, Defendants seek to offer his testimony by video; the government opposes and advises that, even if the Court were to approve the video testimony, it would take several months to gain the approval of French authorities to conduct the remote examination.

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Government counsel and Defendants' counsel are generally available tomorrow (Wednesday) afternoon and most of the day on Thursday subject to Your Honor's availability.

Sincerely,



Howard Srebnick
Counsel for Robert Jeffrey Johnson



Alyssa Silvaggi
Counsel for Kathleen Hook

cc: All counsel by ECF

A telephone conference will be held on February 16, 2023 at 9:30 a.m. The parties are instructed to call (877) 411-9748 and enter access code 3029857# when prompted.

SO ORDERED.



Edgardo Ramos, U.S.D.J
Dated: 2/15/2023
New York, New York